

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MM Docket No. 99-287
Table of Allotments,)	RM-9712
FM Broadcast Stations.)	
(Sulphur Bluff, Texas))	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: May 31, 2000

Released: June 9, 2000

By the Chief, Allocations Branch:

1. In response to a Petition for Rule Making filed by Sulphur Bluff Radio Broadcasting ("Sulphur Bluff Radio"), the Commission has before it for consideration the Notice of Proposed Rule Making, 14 FCC Rcd 15417 (1999), seeking the allotment of Channel 259A at Sulphur Bluff, Texas. Sulphur Bluff Radio filed comments reiterating its intention to apply for Channel 259A at Sulphur Bluff, Texas. No other comments were received in response to the Notice.

2. The Notice was issued in response to Sulphur Bluff Radio's proposal to provide a first local broadcast service to the community of Sulphur Bluff, Texas. In view of Sulphur Bluff's small size, Sulphur Bluff Radio was requested to provide additional information that Sulphur Bluff is a *bona fide* community, as that term is defined for purposes of Section 307(b) of the Communications Act of 1934, as amended, for allotment purposes. The Notice stated that Sulphur Bluff is a community located in Hopkins County with its own zip code (75481) and post office and that the 1998 Rand McNally Commercial Atlas and Marketing Guide shows a population of 200 people for Sulphur Bluff. In response to the Notice, Sulphur Bluff Radio providing the following information. Sulphur Bluff has its own school district and according to comments, the local post office dates back to May 12, 1846. Sulphur Bluff has three local churches, Sulphur Bluff Assembly of God, Sulphur Bluff Methodist Church, and Sulphur Bluff Baptist Church. Commercial business establishments include a gas station, Dorner's Grocery and Albert's Gun Shop. Sulphur Bluff Radio points out that Sulphur Bluff has a volunteer fire department, the Masonic Lodge of Sulphur Bluff, two local ball fields and a Community Center. Sulphur Bluff Postmaster Baker noted that a sense of community derives from the fact that there is no other nearby town to serve the needs of area ranchers and dairy farmers and that the community of Sulphur Bluff also provides postal services to nearby towns that do not have a local post office. She also notes that residents of Sulphur Bluff actively support both the Sulphur Bluff School activities and the Sulphur Bluff Volunteer Fire Department. Sulphur Bluff Radio argues that although Sulphur Bluff is a small town, it has the community characteristics that the Commission equates with community status for allotment purposes and is deserving of an FM allotment.

3. We believe the public interest would be served by the allotment of an FM channel at Sulphur Bluff, Texas, providing the community with its first local broadcast service. We further believe that Sulphur Bluff Radio has provided sufficient information to conclude that Sulphur Bluff contains sufficient indicia to conclude that it is a community for allotment purposes. Channel 259A can be allotted to Sulphur Bluff, Texas, in compliance with the Commission's spacing requirements with a site restriction 2.7 kilometers (1.7 miles) northeast of the community.¹

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective July 24, 2000, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, as follows:

Community	Channel Number
Sulphur Bluff, Texas	259A

5. A filing window for Channel 259A, Sulphur Bluff, Texas, will not be opened at this time. Instead, the issue of opening a filing window for the channel will be addressed by the Commission in a subsequent order.

6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

¹ The coordinates for Channel 259A at Sulphur Bluff are 33-23-03 NL and 95-22-59 WL.

7. For further information concerning this proceeding, contact Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180. Questions related to the application filing process for Channel 259A at Sulphur Bluff, Texas, should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau